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REMARKS

Claims 1 through 30 were presented for examination. The instant amendment cancels claims 1 through 21 and 27 without prejudice. Thus, claims 22 through 26 and 28 through 30 are pending upon entry of the instant amendment, which is respectfully requested.

Applicant wishes to thank the Examiner for her time on October 28, 2005 to discuss the present application.

Claims 22 through 26 and 28 through 30 were rejected under 35 U.S.C. §112, first paragraph.

Applicant respectfully traverses this rejection.

As discussed during the interview and reflected in the Interview Summary, support for these claims can be found at least in paragraphs [0023], [0031], and [0035], as well as in Figure 2. Reconsideration and withdrawal of the rejections under 35 U.S.C. §112 are respectfully requested.

Claims 22 through 26 and 28 through 30 were finally rejected under 35 U.S.C. §103 over U.S. Patent No. 2,990,087 to Brewin et al. (Brewin) or U.S. Patent No. 2,985,502 to Kronsbein et al. (Kronsbein) in view of U.S. Patent No. 5,458,265 to Hester et al. (Hester) in further view of U.S. Patent No. 4,659,333 to Schaub (Schaub).

Applicant respectfully traverses this rejection.

Independent claim 22 requires, in part, the step of "steaming and heating the garment after said substantially even coat of said dye is applied to said first side but prior to said dye drying on said first side so that said dye migrates from said first side to

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a second side and reacts with and affixes to a component of the fabric (emphasis added)".

Brewin discloses holding a tank at superatmospheric pressure and at a temperature above the normal boiling point without boiling while spraying the garment in the tank. However, Brewin specifically discloses against adding outside steam to the chamber as this would dilute the solution. See col. 1, lines 68-73. Thus, Brewin continuously sprays the treating solution on the garment while holding the chamber at conditions (e.g., pressure and temperature) sufficient to fix the dye to the garment without adding outside steam.

Kronsbein discloses that steam is admitted to the tank 1 at the same time at which dye is admitted to tank 1. Further, Kronsbein discloses that the admission of steam is discontinued at the end of the dyeing period. See col. 3, lines 1-30. Thus, Kronsbein, much like Brewin above, continuously sprays the dye solution on the garment simultaneous with admitting steam to the tank.

As such, Brewin and Kronsbein do not disclose or suggest "steaming and heating the garment after said substantially even coat of said dye is applied to said first side" as required by claim 22.

Hester generally discloses a finishing step of applying modifying agents to local areas of the garment. After this finishing step is completed, Hester discloses moving the fixture to other finishing stations. See col. 3, lines 46-49. However, Hester does not disclose or suggest the need for "steaming and heating the garment after said substantially even coat of said dye is applied to said first side" as in claim 22.

Schaub discloses dyeing of fabrics having an intermediate drying of the dyed or printed textile fabrics before the steam fixation that is mandatory. See col. 2, lines 14-16. Thus, it is respectfully submitted that the steam fixation step of Schaub, which must

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occur after drying, specifically teaches away from claim 22, where the steaming and heating occur "prior to said dye drying on said first side".

Accordingly, the proposed combination of Brewin or Kronsbein, Hester and Schaub does not disclose or suggest the combination recited by claim 22. Independent claim 22, as well as claims 23 through 25 that depend therefrom, are therefore believed to be in condition for allowance.

Reconsideration and withdrawal of the rejection to claims 22 through 25 are respectfully requested.

Independent claim 26 recites "exposing the garment to a migration and fixation process prior to said dye drying on said first side but after spraying said dye on said first side to provide a substantially uniform distribution of said dye throughout the garment".

It is respectfully submitted that the proposed combination of Brewin or Kronsbein with Hester and Schaub simply does not disclose or suggest the simple solution provided by claim 26. Moreover, it is respectfully submitted that the cited art teaches away from claim 26. Specifically, Brewin and Kronsbein provide steam/conditions during the dyeing process, Hester is silent as to the need for such a fixation process at all, while Schaub requires drying of the fabric before steaming.

Thus, claim 26, as well as claim 27 that depends therefrom, are believed to be in condition for allowance.

Independent claim 28 recites "steaming and heating the garment after applying said substantially even coat of said dye but before drying said dye so that said dye migrates from said first side to a second side and reacts with and affixes to a component of the garment." Clearly, the proposed combination of Brewin, Kronsbein, Hester, and Schaub teach away from and, thus, do not disclose or suggest the process recited by claim 28. Thus, claim 28, as well as claims 29 and 30 that depend therefrom,

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are believed to be in condition for allowance.

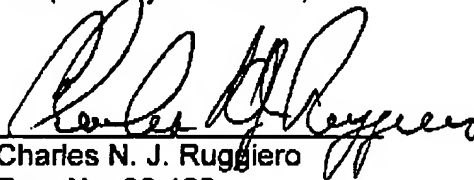
In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

In the alternative, it is believed that the instant amendment places the present application in better condition for appeal. Accordingly, entry and consideration of the instant amendment are respectfully requested.

If for any reason the Examiner feels that consultation with Applicant's attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,

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